

PATENT

ATTORNEY DOCKET NO. 114596-20-4009

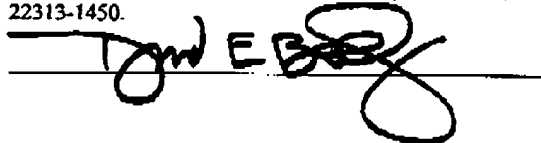
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/434,394
Applicant: John S. Yates, Jr., et al.
Title: DETECTING REORDERED SIDE EFFECTS
Filed: November 4, 1999
Art Unit: 2122
Examiner: Nguyen Ba, H. V. A

Confirmation No.: 3898

I certify that this correspondence, along with any documents referred to therein, is being transmitted by facsimile on February 28, 2005 to Art Unit 2122 at FAX no. 703 872 9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Atty. Docket: 114596-20-4009
Customer No. 38492



INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant wishes to make of record the items listed on the accompanying Form PTO-1449. Applicant respectfully requests the Examiner to fully consider the items and independently ascertain their teaching before issuance of the next action, and to make them of record in the file. The Examiner is also requested to initial and return a copy of the enclosed Form PTO-1449 to evidence such consideration.

1. Applicant has listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated. Applicant reserves the right to establish the patentability of the claims over any information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This Information Disclosure Statement should not be construed as a representation that information more material to the examination of this application does not exist.

2. The references listed on the enclosed Form 1449 are references that have come to light in applications listed in the Information Disclosure Statement of January 2001. For many of the listed references, pertinence is mentioned in the respective application file in which the reference came to light. Applicant has not reviewed all of them in detail. Of those that have been reviewed, none of the references are believed to be any more pertinent than the references provided in earlier IDS' and Forms 1449. However, in an abundance of caution, Applicant requests that they be considered.

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3. For items other than U.S. patents listed on the enclosed Form PTO-1449 for which a copy is not already made of record in this application, a copy was previously cited by or submitted to the Patent and Trademark Office in application Serial No. 09/239,194, filed January 28, 1999, Yates et al., Executing Programs for a First Computer Architecture on a Computer of a Second Architecture, in application Serial No. 09/322,443, filed May 28, 1999, Reese et al., Profiling of Computer Programs Executing in Virtual Memory Systems, or in application Serial No. 09/385,394, filed August 30, 1999, Yates et al., Computer for Executing Two Different Instruction Sets.

4. The non-patent references by Dean, Hank, Hookway and the three Intel non-patent references have been previously cited. They are cited again here with improved bibliographic information.

5. This Information Disclosure Statement it is being filed at a time when prosecution is closed, but may be reopened on withdrawal or reversal of all pending rejections. In the event of reopening of prosecution, entry of this Information Disclosure Statement is proper on payment of a fee pursuant to 37 C.F.R. §1.97(c)(2). Upon such entry, charge the fee due under C.F.R. §1.17(i)(1) to 23-2405, Order No. 114596-20-4009.

6. The Commissioner is hereby authorized to charge any additional fees that may be required for this Information Disclosure Statement, or credit any overpayment, to Deposit Account No. 23-2405, Order No. 114596-20-4009.

Respectfully submitted,

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Dated: February 28, 2005

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FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 114596-20-4009		SERIAL NO. 09/434,394	
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				APPLICANT John S. Yates, Jr., et al.			
				FILING DATE November 4, 1999		GROUP ART UNIT 2122	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	5,371,894	12/6/1994	DiBrino	714	34	Dec. 23, 1993	
	5,404,473	04/04/1995	Papworth	712	241	Mar. 1, 1994	
	5,721,855	02/24/1998	Hinton	712	218	Jul. 12, 1996	
	5,729,728	03/17/1998	Colwell	712	234	Sep. 6, 1996	
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	6,256,775	7/3/2001	Flynn	717	127	Dec. 11, 1997	
	6,351,646	02/26/2002	Jellema	455	461	Apr. 20, 1998	
	6,535,903	3/18/2003	Yates	718	100	Jan. 29, 1996	
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	6,826,748	11/30/2004	Hohensee	717	130	Jun. 24, 1999	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)							
		Dean, ProfileMe: Hardware Support for Instruction-Level Profiling on Out-of-Order Processors," Proceedings of 30th Annual Intl. IEEE/ACM Symp. on Microarchitecture, pp. 292-302 (Dec. 1997)					
		R.E. Hank, et al., "Region-Based Compilation: An Introduction and Motivation" Proceedings of the 28th Annual International Symposium on Microarchitecture, pp. 158-168 (Dec. 1995)					
		Raymond J. Hookway, Mark A. Herdeg, Digital FX!32: Combining Emulation and Binary Translation (August 28, 1997), http://www.digital.com/info/DTJP01HM.HTM					
		Intel Corporation, Intel Architecture Software Developer's Manual, Volume 1: Basic Architecture, pages 3-10 to 3-13, 7-1 to 7-3, 7-20 to 7-25; Volume 2: Instruction Set Reference, pages 3-60 to 3-63, 3-240 to 3-251; Volume 3: System Programming Guide, pages 11-1 to 11-3, 11-10 to 11-13, 14-1 to 14-3, 14-10 to 14-15 (1997)					
		Intel Corporation, Pentium Processor Family Developer's Manual (1997), pages 1-1 to 1-6, 2-1 to 2-20					
		Intel Corporation, Pentium Processor Family Developer's Manual (1997), vol. 3: Architecture and Programming Manual, pages 3-1 to 3-3, 3-10 to 3-13, 12-1 to 12-27, 14-1 to 14-30					
		Peterson, "The Profile Naming Service," ACM Transactions on Computer Systems (TOCS), v.6 n.4, p.341-364 (Nov. 1988)					
EXAMINER				DATE CONSIDERED			